REMARKS/ARGUMENTS

Claims 34, 37 through 44 and 57 through 64 are pending in this application.

The Office Action rejects claims 34, 37 through 54 and 57 through 64 under 35 U.S.C. §102(e) as being anticipated by Sheehy (U.S. Patent No. 5,653,732). This rejection is moot as to claims 45-54, which have been cancelled. Sheehy fails to disclose or suggest the elements of claims 34, 37 through 44 and 57 through 64 of the areola region and the proximal end of the stem being connected along an inwardly concave surface and wherein the inwardly concave surface is smooth or of the areola region and the proximal end of the stem being connected to form an inwardly concave surface, with a transition from the areola region to the proximal end of the stem being smooth.

The Office Action rejects this argument contending that the inward surface having ridge 46 is "also considered to be smooth." (Office Action p. 3). Applicant respectfully submits that a ridge 46 positioned along an inwardly shaped surface clearly makes that surface non-smooth as shown in Fig. 4 of Sheehy:

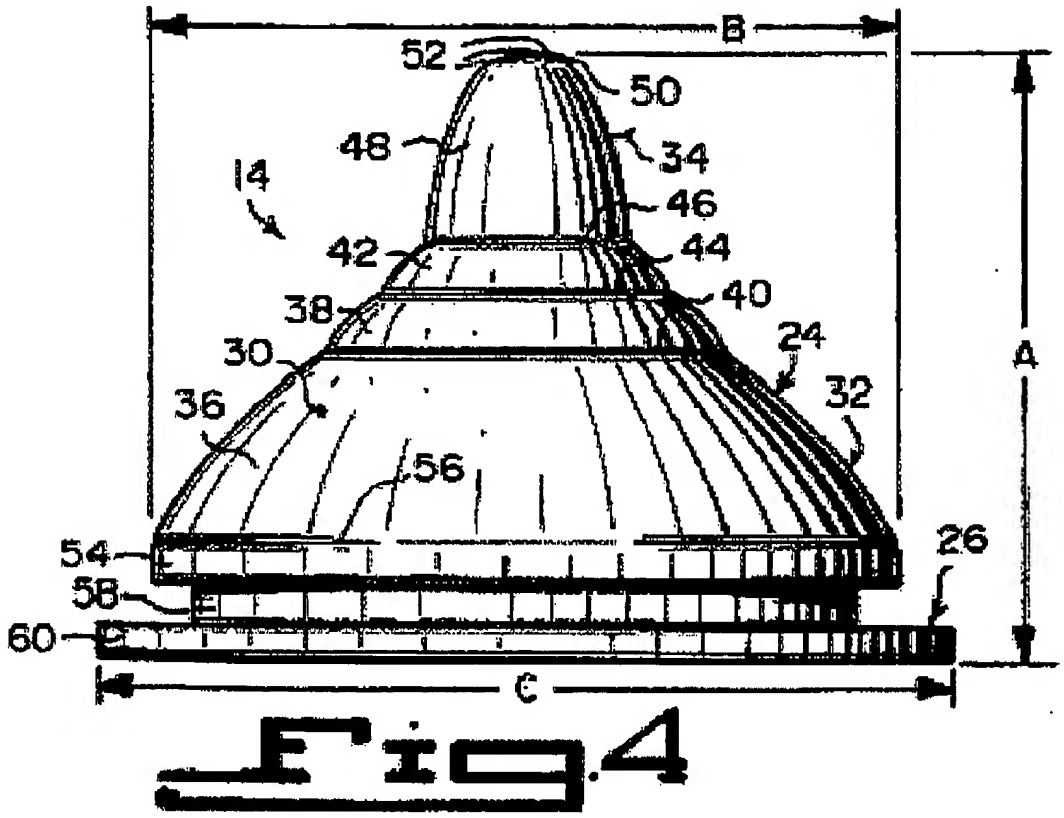
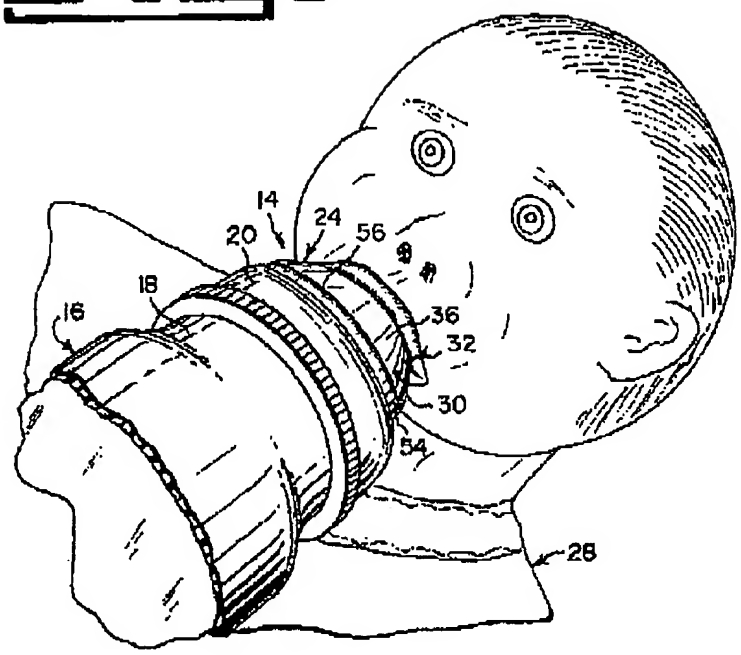


Fig.4

The objective of Sheehy is to facilitate the weaning process from breast feeding to bottle-feeding. (Sheehy col. 1, lines 12-13). Sheehy submits that the difficulty arises for infants from transitioning from wide-mouth breast feeding to narrow-mouth bottle-feeding. (Sheehy col. 1, lines 11-12). Sheehy provides three separate segments 36, 38 and 42 of different sizes to assist in this transition. (Sheehy col. 2, lines 39-44). To distinctly separate these segments, ridges 40, 44 and 46 are provided. As seen in Fig. 5, the ridges guide the infant to suck on one of the segments at a time (intermediate segment 38 in the depicted example):

Fig.5



Ridge 46 is in the opposite direction from the inward shape of the transition between the stem 48 and the upper segment 42 of the Sheehy nipple. A "ridge" is a "raised strip." (Webster's II New College Dictionary, p. 953).

Applicant respectfully submits that the Office Action's interpretation of an outwardly extending strip along an inwardly shaped surface as being "smooth" obfuscates both the meaning of smooth and the meaning of ridge as understood by one of ordinary skill in the art and as defined by the Sheehy specification, as well as the present application. A smooth surface is one that does not have a raised ridge, especially where such a raised ridge would be positioned along an inwardly shaped surface and,

thus, in the opposite direction of the shape of the surface. As described in the specification of the present application, "[t]he tapered shape of stem 20 causes the baby to slide past the stem and on to areola region 45." (Specification p. 6, lines 12-13). In contrast, the non-smooth shape of the Sheehy nipple created by ridge 46 guides the infant in latching on to the particular segment.

In view of the foregoing, applicant respectfully submits that all claims present in this application are patentable over the cited prior art. Accordingly, applicant respectfully requests favorable reconsideration and withdrawal of the rejections of the claims. Also, applicant respectfully requests that this application be passed to allowance.

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Andrew C. Gust
Registration No. 47,620
Charles N.J. Ruggiero
Registration No. 28,468
Attorney for Applicant
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square
Stamford, CT 06901-2682
Tel (203) 327-4500